

MARKED-UP COPY OF AMENDED CLAIMS:

32. (Amended) A closure for cable connection comprising: a pair of sleeve members formed with a semicylindrical shape and joined to each other in a manner to be vertically separable from each other, resulting in providing a cylindrical sleeve which surrounds a cable connection section, said sleeve members each having abutting joint surfaces formed on both sides thereof, through which said sleeve members are joined together;

end plates arranged on opposite ends of said sleeve and each formed with at least one cable guide hole through which a cable connected to said cable connection section is inserted;

hinges and fasteners releasibly releasably hooked between said sleeve members to integrally connect said sleeve members to each other through said abutting joint surfaces arranged opposite to each other;

said end plates each being formed with a slit in a manner to extend from said cable guide hole to a portion of said end plate in proximity to an outer periphery of said end plate so as to permit a wall of said end plate to open by cutting along said slit;

said cable guide hole being provided thereon with a thin-wall cap capable of being removed by cutting and said slit being detachably fitted therein with a rigidity holding member; and

at least one cable clamp arranged opposite to one of said end plates and provided with at least one cable insertion portion through which the cable is fittedly inserted, said cable clamp including a clamp body formed with at least one cable guide recess and at least one curved holding member arranged opposite to said cable guide recess, said curved holding member being

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fastened to said clamp body of said cable clamp by means of a mounting member;

said cable guide recess and curved holding member being each detachably provided with holding spacers detachable therefrom in a manner to be opposite to each other, respectively.

REMARKS

This Amendment is in response to the outstanding Official Action dated January 22, 2001, the shortened statutory period for filing a response having expired on April 22, 2001. In this regard, Applicants enclose herewith a Three Month Extension Petition resetting the deadline from April 22, 2001 to and including July 22, 2001. In view of the above amendments and within remarks, reconsideration of the Examiner's rejection is respectfully requested.

The Examiner has objected to Applicants' Amendment filed November 16, 2001 under 35 U.S.C. §132 stating that it introduces new matter into the disclosure. The specific limitation purported to be new matter is as follows:

said gasket being discontinuous about the outer periphery surface of said end plate whereby portions of said plurality of peaks and valleys are exposed, whereby said exposed portions of said plurality of peaks and valleys are abutted directly against the inner surface of the sleeve and the gasket covered portions of said plurality of peaks and valleys are abutted against said inner sleeve with said gasket therebetween.

The aforementioned limitation, notwithstanding the Examiner's comments, is fully supported by Applicants' specification. This fact was pointed out to the Examiner in Applicants' Communication of November 13, 2000. Once again, Applicants direct the Examiner's attention to their specification bridging page 14, line 36 through page 15, line 16. This portion of Applicants' specification specifically states:

lead-out hole or at the cable guide hole 20 thereof. In addition, an adhesive tape-like gasket 11 made of an unvulcanized butyl rubber material is arranged locally between the outer periphery of the end plate 3 and an

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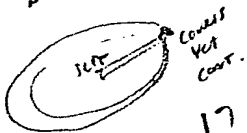
(NO)  
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Fig. 9

inner surface of the end fitment portion 3<sub>1</sub> of the sleeve so as to cover an outer end portion of the slit 22 positioned contiguous to the outer periphery of the end plate 3. The tape-like gasket 11 is provided by adhesion thereof to the outer periphery of the end plate 3 including the peak-and-valley shaped grooves 26. Thus, airtightness between each of the end fitment portions 3<sub>1</sub> of the sleeve and the end plate 3 is held in such a manner that fastening force generated by the fasteners 70 is received by the upper and lower sleeve members 2 and 1 and then transmitted therefrom to the peak-and-valley shaped grooves 26 formed on the outer peripheral surface of the end plate 3. This results in workability in assembling and disassembling of the closure of the illustrated embodiment being highly enhanced without any separate end plate gasket being required. [Emphasis supplied].

The Examiner's attention is further directed to Applicants' specification, page 3, lines 24-27 which recites as follows:

a rigidity holding member. The closure also includes an adhesive tape-like gasket interposed between the outer periphery of the end plate and an inner surface of the sleeve so as to cover an outer end of the slit. [Emphasis supplied].

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Handwritten notes:  
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"fig. 9!" (with a circled 'X')

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The foregoing description clearly teaches that the gasket is only required to cover the slit, there being no requirement that the gasket extend completely around the outer periphery of the end plate. Hence, the gasket can be discontinuous about the outer periphery surface of the end plate as claimed by Applicants in claim 1. As a result of this discontinuous arrangement of the gasket, inherently, a plurality of peaks and valleys of the sealing member will be exposed. It is only required that the application as originally filed "reasonably convey[s] to one skilled in the art" that the inventor was in possession of the invention at the time of filing of the application. *Vas-Cath, Inc. v. Mahurkar*, 935 F2d. 1555 (Fed. Cir. 1991). It has further been held that *ipsis verbis* disclosure (a one-to-one correspondence between the language of the claims and the language of the specification) is not necessary. *Union Oil Co. v. Atlantic Richfield Co.*, 208 F3d. 989 (Fed. Cir. 2000). The noted portions of Applicants' specification provide ample support that Applicants were in possession of the claimed subject matter that the gasket is only required to cover the slit, and hence, would inherently be discontinuous about the outer periphery of the end plate. Notice to that effect is respectfully requested.

The present application includes claims 1-33, of which claims 1 and 32 have been presented in independent form. The Examiner has rejected all claims under 35 U.S.C. §103(a) as being unpatentable over Japanese Patent of Sasaki, et al., JP 242562 in view of Nimiya, et al., U.S. Patent No. 4,933,512. In considering the rejection, it appears that the Examiner has not given any consideration to the aforementioned limitations which were objected to by the Examiner as constituting new matter. As these limitations are not considered to be new matter, for the reasons noted hereinabove, the Examiner is requested to give full

consideration to the foregoing limitations when considering Applicants' response.

It is acknowledged by the Examiner that Sasaki, et al. does not disclose the use of a gasket including an adhesive interposed between the outer periphery of the end plate and an inner surface of the sleeve to cover an outer end of the slit, and the gasket being arranged on the outer periphery surface of the end plate by adhesion while being conformed to the outer periphery of the end plate and the plurality of peak and valley shaped grooves of the sealing member. To this end, the Examiner refers to Nimiya, et al. as disclosing a gasket 60 which purportedly meets the aforementioned limitations.

The gasket disclosed in Nimiya, et al. extends 360° about the end plate 40. There is no teaching or suggestion in Nimiya, et al. of the gasket being arranged other than completely about the end plate. In fact, based on the construction of the end plate in Nimiya, et al., it is a requirement that the gasket extend 360° thereabout. Otherwise, a proper seal could not be achieved pursuant to the disclosure in Nimiya, et al. Thus, the combination suggested by the Examiner, if at all, would require that the gasket be provided 360° about the end plate disclosed in Sasaki, et al. There is no other suggestion, i.e., a gasket having discontinuous portions.

Further, Nimiya, et al. merely discloses the use of an elastic tape 60 which is wound around the outer smooth recess portion 42B of the end plate as best shown in Fig. 5. There is no suggestion in Nimiya, et al. of arranging the elastic tape as claimed with respect to Applicants' adhesive gasket so as to be conformed to the outer periphery of the end plate and the plurality of peaks and valley shaped grooves of the sealing member. In this regard, the end plate of Sasaki, et al. is made of a rubber elastic material and is provided on its outer periphery with a plurality of circumferential projections 26

which serve as an air-tight seal between the inner periphery of the sleeve and the outer periphery of the end plate. Accordingly, Sasaki, et al. teaches that the circumferential projections 26, without more, is sufficient for providing an air-tight seal and that other sealing mechanisms are not warranted or necessary. Thus, there is no need for any modification of Sasaki, et al. to provide any additional sealing means.

It is clear that the sealing principles of Sasaki, et al. and Nimiya, et al. are contrary to one another. On the one hand, Sasaki, et al. makes use of the inherent properties of its end plate being made from rubber elastic material and the provisions of circumferential projections to form an air-tight seal. On the other hand, Nimiya, et al. employs a separate elastic material formed within recessed portions 42B of its end plate which is made of a rigid material necessitating the use of the elastic material to create a seal. Sasaki, et al. provides no suggestion that any additional sealing element, such as Nimiya et al.'s elastic tape is required to provide an air-tight seal.

Turning to independent claim 32, this claim has been amended to clarify that the holding spaces are detachable as originally claimed. More specifically, Applicants' cable clamp includes a clamp body having curved holding member 17, as shown in Fig. 14. The cable guide recess and the curved holding member are each provided with detachable holding spacers 33 in a manner to be opposite to each other as also shown in Fig. 14.

It is pointed out that the Examiner in the Official Action has made no reference to either Sasaki, et al. or Nimiya, et al. as disclosing Applicants' claimed detachable holding spacers as neither reference discloses this feature. If the Examiner believes otherwise, it is incumbent upon the Examiner to specifically identify this feature in the prior art.

In Sasaki, et al., Fig. 17, the cable clamp 4 is not provided with any corresponding feature to Applicants' claimed

detachable holding spacers. Rather, the cable clamp is provided with pivotable clamp members 16, 17 having integrally formed on their respective curved surfaces 16, a plurality of teeth-like projections adapted to bite into the outer sheath of a cable. There is no disclosure in Sasaki, et al. of these teeth-like projections being detachable as claimed with respect to Applicants' detachable holding spacers. Accordingly, the prior art of record does not disclose this feature of Applicants' invention and notice to that effect is respectfully requested.

In considering Applicants' within response, Applicants designate the dependent claims as being allowable by virtue of their ultimate dependency upon submittedly allowable independent claims. Although Applicants have not separately argued the patentability of each of the dependent claims, Applicants' failure to do so is not to be taken as an admission that the features of the dependent claims are not themselves separably patentable over the prior art cited by the Examiner. Further in this regard, Applicants incorporate their arguments with respect to the dependent claims as set forth in Applicants' prior Amendment of November 13, 2000.

As all issues raised by the Examiner have now been overcome, Notice of Allowance is respectfully requested. If, for any reason, the Examiner is of the opinion that such action cannot be taken at this time, he is invited to telephone the undersigned at (908) 654-5000, so as to overcome any additional

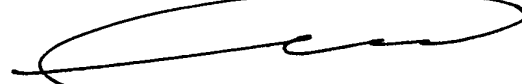


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issues that may need resolution. If there are any fees to be incurred in connection with this response, the Examiner is authorized to charge Deposit Account No. 12-1095.

Respectfully submitted,

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